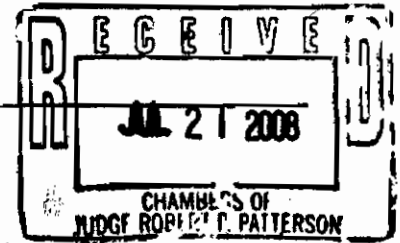


U.S. Department of Justice



United States Attorney
Southern District of New York



86 Chambers Street
New York, New York 10007

July 18, 2008

MEMO ENDORSED

BY FACSIMILE

Hon. Robert P. Patterson
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 2550
New York, NY 10007

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/21/08

Re: Hu v. Chertoff, et al.,
08 Civ. 4569 (RPP)

Dear Judge Patterson:

I write respectfully to update the Court on the status of the above-referenced case. Plaintiff Xiao Dan Hu filed this mandamus petition in May 2008, alleging that defendants had unreasonably delayed adjudication of her Form I-485 application for adjustment of status. I was recently informed by United States Citizenship & Immigration Services that the application has since been granted, as reflected in the enclosed Form I-797 entitled Notice of Action.

As adjudication of the Form I-485 is the precise relief that the mandamus petition seeks, this case is now moot, and should be dismissed. The parties have discussed executing a stipulation that would have the effect of dismissing the case. I respectfully request that the deadline for the defendants to answer the complaint (currently set for July 18, 2008) be stayed to give the parties time to execute and file a stipulation of dismissal.

I thank the Court for its consideration of this request.

Respectfully,

MICHAEL J. GARCIA
United States Attorney for the
Southern District of New York

By:

DAVID BOBER
Assistant United States Attorney
(212) 637-2718

cc: Yee Ling Poon, Esq.

*Application granted
Defendants must file a stipulation of
dismissal or answer by July 31, 2008
So ordered
7/21/08 Robert Patterson & Bober*

Department of Homeland Security
U.S. Citizenship and Immigration Services

I-797, Notice of Action

UNITED STATES OF AMERICA

RECEIPT NUMBER LIN-03-151-51282		CASE TYPE I485 APPLICATION TO ADJUST TO PERMANENT RESIDENT STATUS	
RECEIPT DATE April 8, 2003	PRIORITY DATE	APPLICANT A077 829 774 HU, XIAO DAN	
NOTICE DATE June 24, 2008	PAGE 1 of 1		
YEE L. POON LAW OFFICES OF YEE LING POON 11 EAST BROADWAY 5TH FLOOR NEW YORK NY 10038		Notice Type: Welcome Notice Section: Asylee adjustment COA: AS6	

WELCOME TO THE UNITED STATES OF AMERICA

This is to notify you that your application for permanent residence has been approved. It is with great pleasure that we welcome you to permanent resident status in the United States.

At the top of this notice you will see a very important number. It is your USCIS AN (A-number). This is your permanent resident account and file number. This permanent account number is very important to you. You will need it whenever you contact us.

We will soon mail you a new *Permanent Resident Card*. You should receive it within the next 3 weeks. You can use it to show your new status. When you receive your card you must carry it with you at all times if you are 18 or older. It is the law.

Please call us at 800-375-5283 if any of the information about you shown above is incorrect, if you move before you receive your card, or if you don't receive your card within the next 3 weeks. If you call us, please have your AN and also the receipt number shown above available. The receipt number is a tracking number for your application.

Please read the notice that comes with your card. It will have important information about your card, about your status and responsibilities, and about permanent resident services available to you.

Your new card will expire in ten years. While card expiration will not directly affect your status, you will need to apply to renew your card several months before it expires. When the time comes and you need filing information, or an application, or if you ever have other questions about permanent resident services available to you, just call our *National Customer Service Center* at 1-800-375-5283 or visit the USCIS website at www.uscis.gov. (If you are hearing impaired, the NCSC's TDD number is 1-800-767-1833.) The best days to call the NCSC are Tuesday through Friday.

Once again, welcome to the United States and congratulations on your permanent resident status.

THIS FORM IS NOT A VISA NOR MAY IT BE USED IN PLACE OF A VISA..

Please see the additional information on the back. You will be notified separately about any other cases you filed.

NEBRASKA SERVICE CENTER
U. S. CITIZENSHIP & IMMIGRATION SERVICE
P.O. BOX 82521
LINCOLN NE 68501-2521
Customer Service Telephone: 800-375-5283

